

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOSEPH BOOK

Plaintiff,

v.

CA. No. 04-cv-11557 RCL

KURT M. FERRAZZANI, ET AL

Defendants

DEFENDANT'S MOTION TO ENLARGE

Now come the defendants, Kurt Ferrazani and Al MacKenzie, pursuant to Fed. R. Civ. P. Rule 6(b), and respectfully request that this Honorable Court enlarge the time for filing of Defendants' Motion for Attorneys' Fees. As grounds for this request the defendants state that the schedules of counsel for the defendants have not permitted counsel to draft the motion within the 14 days allotted under Fed. R. Civ. Pro. 54(d)(2). "The court, for cause shown, may at any time in its discretion, with or without motion or notice, order the period enlarged if request therefor is made before the expiration of the period originally prescribed . . ." Fed. R. Civ. Pro. Rule 6(b)(1). As cause has been shown, and the motion has been made before the expiration of the period in which the defendant was to file an opposition, December 21, 2006, the defendant respectfully requests that this Court grant the defendants until January 5, 2007 to file Defendants' Motion for Attorneys' Fees.

Respectfully submitted,  
For the Defendant, Kurt M. Ferrazzani,  
By his attorney,

LAW OFFICES OF BRIAN ROGAL

/s/ Brian Rogal  
Brian Rogal  
BBO # 424920  
160 Gould Street, Suite 111  
Needham, MA 02494-2300  
(781) 455-0707

**CERTIFICATE OF SERVICE**

I hereby certify that on this 21<sup>st</sup> day of December, 2006, this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: 12/21/06

/s/ Brian Rogal

Respectfully submitted,  
For the Defendant, Al MacKenzie,  
By his attorney,

LAW OFFICES OF TIMOTHY M. BURKE

/s/ Timothy M. Burke  
Timothy M. Burke  
BBO # 065720  
160 Gould Street, Suite 111  
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(781) 455-0707

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Dated: 12/21/06

/s/ Timothy M. Burke